

Own the Podium Whistleblower Policy

POLICY STATEMENT

The purpose of this Policy is to allow members and employees (individuals who have signed an Employment or Contractor Agreement) to have a discrete and safe procedure by which they can report incidents of perceived wrongdoing in the workplace without fear of unfair treatment or reprisal.

APPLICATION

This Policy only applies to members or employees who perceive or experience inappropriate, unethical, illegal or fraudulent conduct (“Wrongdoing”) committed by members or by employees. Matters reported under the terms of this Policy may be referred to be heard under OTP’s *Harassment and Abuse Policy*, at the discretion of the OTP Resource Person.

OTP pledges not to dismiss, penalize, discipline, retaliate or discriminate against any member or employee who discloses information or submits, in good faith, a report against a member or employee under the terms of this Policy. Any individual affiliated with OTP who breaks this pledge will be subject to disciplinary action.

REPORTING PROCEDURE

An individual who believes that a member or employee has committed an incident of wrongdoing should prepare a report that includes the following:

- Written description of the act or actions that comprise the alleged wrongdoing, including the date and time of the action(s);
- Identities and roles of other individuals or employees (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
- Why the act or action should be considered to be wrongdoing; and
- How the wrongdoing affects the individual submitting the report (if applicable).

OTP has appointed the following OTP Resource Person to receive reports made under this Policy:

Lane MacAdam
Director of Partnerships and Operations
Lane.Macadam@ownthepodium.org
(613) 236-2052 ext. 225

After receiving the report, the OTP Resource Person has the responsibility to:

- Assure the individual of OTP’s pledge against reprisal;
- Connect the individual to the Alternate Liaison if the individual feels that he or she cannot act in an unbiased or discrete manner due to the individual’s role with OTP and/or the content of the report;
- Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious);
- Determine if the OTP’s *Whistleblower Policy* applies or if the matter should be handled under the *OTP’s Harassment and Abuse Policy*;
- Determine if the local police service should be contacted;
- Determine if mediation or alternate dispute resolution can be used to resolve the issue;
- Determine if the OTP’s Chair and/or CEO should or can be notified of the report; and
- Begin an investigation.

If the individual making the report feels that the OTP Resource Person is unable to act in an unbiased or discrete manner due to that person’s role with the OTP and/or the content of the report, the individual should contact the following Alternate Liaison who will act as an independent liaison between the individual and the OTP Resource Person:

Sport Law & Strategy Group
OmbudsOffice@sportlaw.ca

The Alternate Liaison will not disclose the individual's identity to the OTP Resource Person or to anyone affiliated with OTP without the individual's consent. An individual who is unsure if he or she should submit a report, or who does not want to have his or her identity known, may contact the Alternate Liaison for advice about the process.

INVESTIGATION

The OTP Resource Person, in consultation with the Alternate Liaison (when applicable), may determine that an investigation should be launched, and the OTP Resource Person may decide to contract an external investigator. In such cases, the Organization's CEO and/or Chair shall be notified (except in the case where the Chair and/or CEO are implicated) that an investigation conducted by an external investigator is necessary *without* the nature of the investigation, content of the complaint or report, or identity of the individual who submitted the report being disclosed. OTP's CEO and/or Chair may not unreasonably refuse the decision to contract an external investigator.

An investigation should generally take the following form:

- Follow-up interview with the individual who submitted the report;
- Identification of staff, participants, volunteers, Directors, or other individuals that may have been affected by the wrongdoing;
- Interviews with such-affected individuals;
- Interview with the member(s) or employee(s) against whom the report was submitted; and
- Interview with the supervisor(s) of the member(s) or employee(s) against whom the report was submitted.

In all stages of the investigation, the investigator will take every precaution to protect the identity of the individual who submitted the report and/or the specific nature of the report itself. However, OTP recognizes that there are some instances where the nature of the report and/or the identity of the individual who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

The investigator will prepare an Investigator's Report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to OTP's Chair and/or CEO for review and action.

ACTION

Within fourteen (14) days after receiving the Investigator's Report, OTP's Chair and/or CEO will take corrective action, as required. Corrective action may include, but is not limited to including:

- Contacting the local police service;
- Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
- Revision of job descriptions; and
- Discipline, suspension, termination, or other action as permitted by OTP's Bylaws, OTP's Policy Manual, applicable employment standards legislation, and/or an Employment Agreement, Contractor Agreement, or Director Agreement (as applicable).

The corrective action, if any, will be communicated to the investigator who will then inform the individual who submitted the report.

Approved: November 13, 2015